



General Assembly

January Session, 2009

Raised Bill No. 773

LCO No. 2568

02568_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING TECHNICAL AMENDMENTS TO THE CODES OF ETHICS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (l) of section 1-79 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (l) "Quasi-public agency" means the Connecticut Development
5 Authority, Connecticut Innovations, Incorporated, Connecticut Health
6 and Education Facilities Authority, Connecticut Higher Education
7 Supplemental Loan Authority, Connecticut Housing Finance
8 Authority, [Connecticut Housing Authority] State Housing Authority,
9 Connecticut Resources Recovery Authority, Lower Fairfield County
10 Convention Center Authority, Capital City Economic Development
11 Authority, Bradley Board of Directors, Connecticut Transportation
12 Strategy Board and Connecticut Lottery Corporation.

13 Sec. 2. Subsection (a) of section 1-81 of the general statutes is
14 repealed and the following is substituted in lieu thereof (*Effective*

15 *October 1, 2009*):

16 (a) The board and general counsel and staff of the Office of State
17 Ethics shall:

18 (1) Compile and maintain an index of all reports, advisory opinions,
19 informal staff letters, memoranda issued in accordance with subsection
20 (b) of section 1-82 and statements filed by and with the Office of State
21 Ethics to facilitate public access to such reports and advisory opinions,
22 informal staff letters, memoranda statements as provided by this part;

23 (2) Preserve advisory opinions and informal staff letters,
24 permanently; preserve memoranda issued in accordance with
25 subsection (b) of section 1-82 and statements and reports filed by and
26 with the board for a period of five years from the date of receipt;

27 (3) Upon the concurring vote of a majority of the board present and
28 voting, issue advisory opinions with regard to the requirements of this
29 part, upon the request of any person subject to the provisions of this
30 part, and publish such advisory opinions in the Connecticut Law
31 Journal. Advisory opinions rendered by the board, until amended or
32 revoked, shall be binding on the board and shall be deemed to be final
33 decisions of the board for purposes of appeal to the superior court, in
34 accordance with the provisions of section 4-175 or 4-183. Any advisory
35 opinion concerning the person who requested the opinion and who
36 acted in reliance thereon, in good faith, shall be binding upon the
37 board, and it shall be an absolute defense in any criminal action
38 brought under the provisions of this part, that the accused acted in
39 reliance upon such advisory opinion;

40 (4) Respond to inquiries and provide advice regarding the code of
41 ethics either verbally or through informal letters;

42 (5) Provide yearly training to all state employees regarding the code
43 of ethics;

44 (6) Make legislative recommendations to the General Assembly and

45 report annually, prior to [April] February fifteenth, to the Governor
46 summarizing the activities of the [commission] Office of State Ethics;

47 (7) Meet not less than once per month with the office's executive
48 director and ethics enforcement officer; and

49 (8) The [commission] Office of State Ethics may enter into such
50 contractual agreements as may be necessary for the discharge of its
51 duties, within the limits of its appropriated funds and in accordance
52 with established procedures.

53 Sec. 3. Subsection (e) of section 1-82 of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective*
55 *October 1, 2009*):

56 (e) No person shall take or threaten to take official action against an
57 individual for such individual's disclosure of information to the board
58 or the general counsel, ethics enforcement officer or staff of the Office
59 of State Ethics under the provisions of this part or section 1-101nn.
60 After receipt of information from an individual under the provisions of
61 this part or section 1-101nn, the Office of State Ethics shall not disclose
62 the identity of such individual without such individual's consent
63 unless the Office of State Ethics determines that such disclosure is
64 unavoidable during the course of an investigation. No person shall be
65 subject to civil liability for any good faith disclosure that such person
66 makes to the [commission] Office of State Ethics.

67 Sec. 4. Subsection (a) of section 1-83 of the general statutes is
68 repealed and the following is substituted in lieu thereof (*Effective*
69 *October 1, 2009*):

70 (a) (1) All state-wide elected officers, members of the General
71 Assembly, department heads and their deputies, members of the
72 Gaming Policy Board, the executive director of the Division of Special
73 Revenue within the Department of Revenue Services, members or
74 directors of each quasi-public agency, members of the Investment

75 Advisory Council, state marshals and such members of the Executive
76 Department and such employees of quasi-public agencies as the
77 Governor shall require, shall file, under penalty of false statement, a
78 statement of financial interests for the preceding calendar year with the
79 Office of State Ethics on or before the May first [next in] following any
80 year in which they hold such a position. Any such individual who
81 leaves his or her office or position shall file a statement of financial
82 interests covering that portion of the year during which such
83 individual held his or her office or position. The Office of State Ethics
84 shall notify such individuals of the requirements of this subsection not
85 later than thirty days after their departure from such office or position.
86 Such individuals shall file such statement within sixty days after
87 receipt of the notification.

88 (2) Each state agency, department, board and commission shall
89 develop and implement, in cooperation with the Office of State Ethics,
90 an ethics statement as it relates to the mission of the agency,
91 department, board or commission. The executive head of each such
92 agency, department, board or commission shall be directly responsible
93 for the development and enforcement of such ethics statement and
94 shall file a copy of such ethics statement with the Department of
95 Administrative Services and the Office of State Ethics.

96 Sec. 5. Subsection (u) of section 1-91 of the general statutes is
97 repealed and the following is substituted in lieu thereof (*Effective*
98 *October 1, 2009*):

99 (u) "Client lobbyist" means a [lobbyist] person on behalf of whom
100 lobbying takes place and who makes expenditures for lobbying and in
101 furtherance of lobbying.

102 Sec. 6. Section 1-100b of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective October 1, 2009*):

104 (a) The Office of State Ethics, upon a finding that a communicator
105 lobbyist has violated the provisions of subsection [(i)] (h) of section 9-

106 610, may suspend said lobbyist's registration for a period of not more
107 than the remainder of the term of such registration and may prohibit
108 said lobbyist from engaging in the profession of lobbyist for a period
109 of not more than three years.

110 (b) The Office of State Ethics may revoke the registration of a
111 communicator lobbyist upon a finding that the lobbyist has been
112 convicted of a crime involving bribery, theft or moral turpitude, which
113 the lobbyist committed in the course of lobbying.

114 (c) The Office of State Ethics shall make any finding under
115 subsection (a) or (b) of this section in accordance with the same
116 procedure set forth in section 1-93 for a finding by the [commission]
117 board of a violation of part II of chapter 10.

118 (d) As used in this section, "communicator lobbyist", "lobbyist" and
119 "lobbying" have the same meanings as provided in section 1-91.

120 Sec. 7. Section 4b-4 of the general statutes is repealed and the
121 following is substituted in lieu thereof (*Effective October 1, 2009*):

122 (a) No employee of the Properties Review Board shall hold another
123 state or municipal position, nor shall any such employee or any
124 nonclerical employee in the unit in the Department of Public Works
125 which is responsible for acquiring, leasing and selling real property on
126 behalf of the state, be directly involved in any enterprise which does
127 business with the state or be directly or indirectly involved in any
128 enterprise concerned with real estate acquisition or development. Each
129 member and employee of the State Properties Review Board shall file,
130 with the board and with the Office of State Ethics, and each such
131 employee of the department shall file, with the department and with
132 the Office of State Ethics, a financial statement indicating all sources of
133 business income of such person in excess of one thousand dollars, and
134 the name of any business with which he is associated, which shall have
135 the same meaning as defined in section [1-79] 1-83, as amended by this
136 act. Such statement shall be a public record. Financial statements for

137 the preceding calendar year shall be filed with the [commission] Office
138 of State Ethics on or before April fifteenth of each year if the employee
139 or member held such a position during the preceding calendar year.

140 (b) The provisions of sections 1-82, as amended by this act, 1-82a
141 and 1-88 shall apply to any alleged violation of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	1-79(l)
Sec. 2	<i>October 1, 2009</i>	1-81(a)
Sec. 3	<i>October 1, 2009</i>	1-82(e)
Sec. 4	<i>October 1, 2009</i>	1-83(a)
Sec. 5	<i>October 1, 2009</i>	1-91(u)
Sec. 6	<i>October 1, 2009</i>	1-100b
Sec. 7	<i>October 1, 2009</i>	4b-4

Statement of Purpose:

To make technical and conforming changes to the codes of ethics.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]